

REMARKS

By this Amendment, claim 3 is canceled without prejudice or disclaimer, and claims 1, 12 and 24 are amended. Accordingly, claims 1, 2, 4, 6-13, and 15-25 are pending. Claim 1 is amended to recite feature similar to those recited in canceled claim 3. Claims 12 and 24 are amended to correct minor informalities and to improve the English syntax. Thus, no new matter is added.

Reconsideration of the application is respectfully requested.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration since the amendments incorporate previously claimed subject matter into an independent claim and correct minor informalities; (c) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

Claims 1-4, 9-13, 15-17 and 21-25 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 5,747,857 to Eda et al. (hereafter, "Eda"). This rejection is moot with respect to canceled claim 3 and is respectfully traversed with respect to the remaining claims.

It is respectfully submitted that Eda does not disclose, teach or suggest "forming holes in the composite wafer after formation of the composite wafer so that the holes reach metal tracks connected to the bulk acoustic resonator devices, and filling the holes with metal," as recited in independent claims 1 and 15.

The Office Action asserts that "Eda discloses that holes 27a, 27b are formed in the composite wafer and filled with metal to allow electrical contacts to be made to the bulk

acoustic resonator devices," citing column 42, line 29, and asserts that "through-holes 16a, 16b of Fig. 30 serve the same purpose," citing column 41, lines 64-66. However, column 41, lines 64-66 of Eda teaches that through-holes 16a, 16b are pre-formed at suitable positions through the holding member 12. Therefore, it follows that the holes 27a, 27b are also pre-formed in the substrate 29 before formation of the composite wafer, since pre-forming is the only teaching by Eda regarding forming the holes.

Accordingly, Eda fails to disclose, teach or suggest "forming holes in the composite wafer after formation of the composite wafer so that the holes reach metal tracks connected to the bulk acoustic resonator devices, and filling the holes with metal," as recited in independent claims 1 and 15 (emphasis added).

For at least these reasons, it is respectfully submitted that independent claims 1 and 15 are patentably distinguishable over Eda. Claims 2, 4 and 9-13, which depend from claim 1, and claims 16, 17 and 21-25, which depend from claim 15, are likewise patentably distinguishable over Eda for at least the reasons discussed above, as well as for the additional features they recite. Accordingly, withdrawal of the rejection of claims 1-4, 9-13, 15-17 and 21-25 over Eda is respectfully requested.

Claims 1-4, 6-13, and 15-25 are rejected under 35 U.S.C. §103(a) over Eda in view of U.S. Patent No. 5,882,465 to McReynolds. This rejection is moot with respect to canceled claim 3 and is respectfully traversed with respect to the remaining claims.

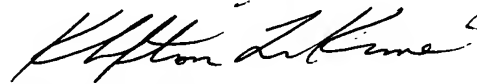
It is respectfully submitted that McReynolds does not make up for the deficiencies of Eda discussed above with respect to independent claims 1 and 15. Therefore, it is respectfully submitted that claims 1 and 15 are patentably distinguishable over the asserted combination of Eda and McReynolds. Claims 2, 4 and 6-13, which depend from claim 1, and claims 16-25, which depend from claim 15, are likewise patentably distinguishable over the asserted combination of Eda and McReynolds for at least the reasons discussed above, as well

as for the additional features they recite. Accordingly, withdrawal of the rejection of claims 1-4, 6-13, and 15-25 over Eda and McReynolds is respectfully requested.

For at least these reasons, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-4, 6-13 and 15-25 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,



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